

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DOC #:
DATE FILED: 5/4/09

IN RE: WORLD TRADE CENTER DISASTER SITE
LITIGATION

21 MC 100 (AKH)

THIS DOCUMENT APPLIES TO ALL WORLD
TRADE CENTER DISASTER SITE LITIGATION

**STIPULATION OF DISMISSAL
AND CONSOLIDATION OF
CERTAIN ENUMERATED
CIVIL ACTIONS**

The parties to the above-captioned consolidated action, through their respective counsel of record, hereby stipulate and agree as follows:

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned, that the civil actions referenced in Attachment A, "Case to be Dismissed and Consolidated" column, be discontinued and dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) without prejudice and without cost to any party, and consolidated with the corresponding civil actions referenced in Attachment A, "To Consolidate With" column; and it is further

STIPULATED AND AGREED, by and between the attorneys for the undersigned, that for all cases dismissed and consolidated pursuant to this Stipulation, Defendants will not raise the Statute of Limitations as a defense if the original action was timely filed and served, but that Defendants shall have all rights and defenses pursuant to New York Unconsolidated Laws Sections 7101 et seq. or any applicable statute of limitation that they have as of the date each action is discontinued pursuant to this Stipulation.

Dated: New York, New York
April 22, 2009

WORBY GRONER EDELMAN & NAPOLI
BERN, LLP




By: _____
CHRISTOPHER R. LOPALO (CL 6466)


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Dated: New York, New York
April 23, 2009

PATTON BOGGS LLP

By: 
JAMES E. TYRRELL, JR. (JT 4676)
One Riverfront Plaza, 6th Floor
Newark, New Jersey 07102
(973) 848-5600

SO ORDERED: 


HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT COURT JUDGE
SOUTHERN DISTRICT OF NEW YORK

ATTACHMENT A

	Plaintiffs	Case to Be Dismissed and Consolidated	To Consolidate With
1	Michael Banks and Helene Banks	06cv13791	07cv00069
2	Joseph Bellisimo	05cv01375	04cv09082
3	Michael Bestany and Tricia Bestany	06cv13800	07cv00070
4	Richard Biglin and Yanela Biglin	06cv13802	06cv13620
5	Gerard Bowden and Janine Bowden	06cv13808	07cv00207
6	Steve Cappello	05cv01640	07cv09205
7	Joseph Colleluori and Coleen Colleluori	06cv13847	07cv10127
8	James Connolly and Elizabeth Connolly	05cv00415	05cv02284
9	Trevor Cooke and Michelle R. Cooke	06cv13851	07cv00071
10	Nancy Costello, as personal representative of the estate of Joseph Costello, and Nancy Costello individually	06cv13857	07cv10232
11	Alexander Cruz and Martha Cruz	06cv14578	07cv08877
12	Gary D'Andrea and Lisa D'Andrea	06cv14584	06cv09983
13	Joseph D'Angelo and Janette D'Angelo	06cv13861	06cv08369
14	George Davino and Maryana Davino	06cv13865	06cv13617
15	Rafaelo Delgado	06cv13868	07cv08879
16	Sentoria Demarco and Robert Demarco	06cv14599	06cv14598
17	Michael DiVirgilio	04cv07239	07cv10763
18	Frank Faivre and Maryellen Faivre	05cv02500	06cv12269
19	Alviri Foster	05cv01173	06cv11138
20	Sebastiano Giangregorio and Lisa Giangregorio	06cv13921	06cv13615
21	Paul Jaeger and Carolyn Jaeger	05cv05510	07cv04363
22	Michael Joy and Joanne K. Joy	06cv13964	06cv13614
23	Brian Joyce and Meredith M. Joyce	06cv13965	07cv10168
24	James Kaine and Kathleen Kaine	06cv13966	07cv09127
25	Peter Kassimatis and Joulia Kassimatis	06cv13968	07cv09129
26	Daniel Keenan and Kathleen Keenan	06cv13969	07cv08900
27	James Kostoplis	06cv13976	06cv13613
28	Christopher Lemke	06cv13987	07cv00056
29	Oswaldo Lopez	06cv14806	07cv4483
30	Lionel Lucas and Antoinette Lucas	06cv14001	07cv10178
31	Kelly Lyon and Jennifer Lyon	06cv14006	06cv12264
32	Alfred MacDonald and Kelly MacDonald	05cv01182	06cv12647
33	Gary Marmaro and Debbie Marmaro	06cv14017	07cv00072
34	Stephen McDade and Amy McDade	06cv14029	07cv00208
35	Eugenio Mora	06cv14894	06cv13168

ATTACHMENT A

36	Patrick Mulligan and Sandra Mulligan	06cv14049	06cv13621
37	Christine Nicaastro	06cv14054	06cv13622
38	Michael Nichols	06cv14920	06cv06795
39	Luis Olivero and Anna Olivero	06cv14063	07cv00075
40	Peter Pawelski	06cv14072	07cv00076
41	Raymond Reid and Maureen Reid	06cv14085	07cv00209
42	Igbaliya Rugovac and Sadik Rugovac	06cv01028	07cv01524
43	Juan Ruiz and Evelyn Ruiz	05cv01752	06cv12472
44	John Scarpinito and Helen Rose	06cv14116	07cv05071
45	Kevin Shinnick and Louise Shinnick	06cv14127	06cv13623
46	Steven Skific and Melissa Skific	06cv15068	07cv10047
47	Jaime Sosa	06cv01027	07cv1706
48	Robert Streit	06cv14138	07cv00073
49	Francis X. Thomas	06cv14146	06cv13624
50	Ronaldo Vega and JudyAnn Vega	06cv14161	07cv00055
51	Walter Villafuente	05cv01344	08cv2250
52	Lee Weir and June Ann Weir	06cv14169	07cv00058
53	Brian Glacken	05cv01109	05cv02135
54	Robert Slewlaw (Sielaw) and Maria Slewlaw	06cv15169	06cv02886
55	David Zephrene and Josephine Zephrene	06cv11748	05cv01219
56	Dean Curti	04cv8770	04cv08841
57	Yvonne Perez and George Perez	06cv14961	06cv09177
58	John Delaney	07cv03132	04cv08814
59	Frank Bolusi and Rose Bolusi	08cv02943	07cv04879
60	Jonathan Hilton and Denise Hilton	07cv03833	07cv04962